

Docket No.  
1373-DARPA

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**MINIATURE IMMUNO-OPTICAL RAPID ANALYTE SENSOR PLATFORM**

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the specification of which

(check one)

☐ is attached hereto.

☒ was filed on May 8, 1998 as United States Application No. or PCT International  
Application Number 09/074,644  
and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

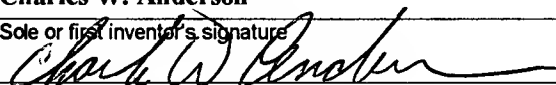
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*


**Francis A. Cooch, Registration No. 31,495**

**Carla Magda Krivak, Registration No. 30,956**

**Send Correspondence to:** Francis A. Cooch, Patent Counsel, THE JOHNS HOPKINS UNIVERSITY  
Applied Physics Laboratory, 11100 Johns Hopkins Road  
Laurel, Maryland 20723-6099

**Direct Telephone Calls to:** *(name and telephone number)*  
Francis A. Cooch (240) 228-5640

Full name of sole or first inventor <b>Charles W. Anderson</b>	
Sole or first inventor's signature 	Date <sup>(initials)</sup> 06/16/98
Residence <b>Woodbine, Maryland 21797</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>500 Morgan Station Road, Woodbine, Maryland 21797</b>	

Full name of second inventor, if any <b>C. Brent Barger</b>	
Second inventor's signature 	Date 6/16/98
Residence <b>Columbia, Maryland 21045</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>5209 Farm Pond Lane, Columbia, Maryland 21045</b>	

Full name of third inventor, if any <b>Richard C. Benson</b>	
Third inventor's signature <i>Richard C Benson</i>	Date 6/15/98
Residence <b>Highland, Maryland 20777</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>7487 Mink Hollow Road, Highland, Maryland 20777</b>	

Full name of fourth inventor, if any <b>Micah A. Carlson</b>	
Fourth inventor's signature <i>Micah A. Carlson</i>	Date 6/15/98
Residence <b>Baltimore, Maryland 21230</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>1460 William, Baltimore, Maryland 21230</b>	

Full name of fifth inventor, if any <b>Allan B. Fraser</b>	
Fifth inventor's signature <i>Allan B. Fraser</i>	Date 6/11/98
Residence <b>Woodbine, Maryland 21797</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>1242 Morgan Road, Woodbine, Maryland 21797</b>	

Full name of sixth inventor, if any <b>John D. Groopman</b>	
Sixth inventor's signature <i>John D. Groopman</i>	Date 6/9/98
Residence <b>Owings Mills, Maryland 21117</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>3744 Birchmere Court, Owings Mills, Maryland 21117</b>	

Full name of seventh inventor, if any <b>Harvey W. Ko</b>	
Seventh inventor's signature <i>Harvey W. Ko</i>	Date 6/12/98
Residence <b>Ellicott City, Maryland 21042</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>9016 Furrow Avenue, Ellicott City, Maryland 21042</b>	

Full name of eighth inventor, if any <b>David R. Kohler</b>	
Eighth inventor's signature <i>David R. Kohler</i>	Date 6/12/98
Residence <b>Ellicott City, Maryland 21042</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>10104 Nicolson Road, Ellicott City, Maryland 21042</b>	

Full name of ninth inventor, if any <b>Terry E. Phillips</b>	
Ninth inventor's signature <i>Terry E. Phillips</i>	Date 6/16/98
Residence <b>Ellicott City, Maryland 21043</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>4180 Brittany Drive, Ellicott City, Maryland 21043</b>	

Full name of tenth inventor, if any <b>Paul T. Strickland</b>	
Tenth inventor's signature <i>Paul T. Strickland</i>	Date 6/9/98
Residence <b>Baltimore, Maryland 21218</b>	
Citizenship <b>U.S.A.</b>	
Post Office Address <b>1302 Southview Road, Baltimore, Maryland 21218</b>	

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27 (d)) - NONPROFIT ORGANIZATION**

Docket No.  
1373-DARPA

Serial No.  
JUN 24 1998  
PATENT AND TRADEMARK OFFICE

Filing Date

Patent No.

Issue Date

Applicant: Charles W. Anderson, C. Brent Barger, Richard C. Benson, Micah A. Carlson, Allan B. Fraser, John D. Groopman, Harvey W. Ko, David R. Kohler, Terry E. Phillips and Paul T. Strickland

Invention:

**MINIATURE IMMUNO-OPTICAL RAPID ANALYTE SENSOR PLATFORM**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: THE JOHNS HOPKINS UNIVERSITY

ADDRESS OF ORGANIZATION: 34th and Charles Streets  
Baltimore, MD 21218
**TYPE OF NONPROFIT ORGANIZATION:**

- ☒ University or other Institute of Higher Education
- ☐ Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))
- ☐ Nonprofit Scientific or Educational under Statute of State of The United States of America  
Name of State: \_\_\_\_\_ Citation of Statute: \_\_\_\_\_
- ☐ Would Qualify as Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if Located in The United States of America
- ☐ Would Qualify as Nonprofit Scientific or Educational under Statute of State of The United States of America if Located in The United States of America  
Name of State: \_\_\_\_\_ Citation of Statute: \_\_\_\_\_

I hereby declare that the above-identified nonprofit organization qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☒ the specification to be filed herewith.
- ☐ the application identified above.
- ☐ the patent identified above.

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I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below.

FULL NAME  
ADDRESS

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME  
ADDRESS

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME  
ADDRESS

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME  
ADDRESS

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Francis A. Cooch  
 TITLE IN ORGANIZATION: Patent Counsel, Applied Physics Laboratory  
 ADDRESS OF PERSON SIGNING: 11100 Johns Hopkins Road, Laurel, MD 20723-6099

SIGNATURE:

Francis A. Cooch

DATE:

May 8, 1998

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27 (d)) - NONPROFIT ORGANIZATION**

Docket No.  
1373-DARPA

Serial No.

Filing Date

Patent No.

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Applicant/ **Charles W. Anderson, C. Brent Barger, Richard C. Benson, Micah A. Carlson, Allan B. Fraser, John D. Groopman, Harvey W. Ko, David R. Kohler, Terry E. Phillips and Paul T. Strickland**

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Name of State: Citation of Statute:
- ☐ Would Qualify as Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if Located in The United States of America
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Name of State: Citation of Statute:

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Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below.

FULL NAME

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Individual

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Small Business Concern

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NAME OF PERSON SIGNING:

Francis A. Cooch

TITLE IN ORGANIZATION:

Patent Counsel, Applied Physics Laboratory

ADDRESS OF PERSON SIGNING:

11100 Johns Hopkins Road, Laurel, MD 20723-6099

SIGNATURE:

Francis A. Cooch

DATE:

May 8, 1998